

REMARKS:

Claims 1, 7, 12, 14-17, 29, 35, 40, 42-47, 56-61 and 63 are in the case and presented for consideration.

The overall number of claims has been reduced to reduce the number of issues presented.

The only independent claims presented, claims 1, 29 and 56, respectively, define the method, system and report of the invention. These claims have all been amended to define a specific set of risk factors to be selected from for the financial operation being managed as set forth in the specification.

The three independent claims also all define a plurality of risk tolerance levels and call for the report to group all risk factors that fall within one of the tolerance levels in a separate area of the report.

The three independent claims also call for the actual value of each risk factor to be either in an unacceptable risk level value range corresponding to one color or an acceptable range corresponding to a different color. The factors, values and colors are lined up in the report with all factors of the same tolerance level being in the same area of the report.

A color report was mailed to the Office with the last amendment and the Examiner is asked to view that report. The Examiner will see the so called "HIGH RISK" factors of one tolerance level, the actual values for each of these factors (redacted for confidentiality) and the indicator color are all together in the left column or area of the report. The "MEDIUM RISK" tolerance factors are in the center column or area and the "LOW RISK" factors are in the right column or area of the report.

The undersigned again thanks the Examiner for the telephone interview of October 15, 2003, which was not mentioned or acknowledged in the Office Action of November 5, 2004 (M.P.E.P. 713.04). During that interview, the color report was discussed and the Examiner is respectfully urged now to consider the report while reviewing this amendment and the following arguments.

The Examiner has rejected the previously presented claims as being obvious under 35 U.S.C. 103 from a combination of the Alexander reference ("Risk Management and Analysis") taken with U.S. Patent 6,202,060 to Tran and U.S. Patent 6,421,653 to May.

It is noted that to date, the undersigned has only received a partial copy of Alexander and even that partial copy has parts of the tops, sides and/or bottoms of the pages missing so that the undersigned cannot determine whether the pages referred to in the last action by the Examiner are those pages supplied or not.

It is, therefore, respectfully requested that a full copy of each page of the Alexander reference being relied upon by the Examiner, be supplied to the undersigned. Please see 37 C.F.R. 104(d)(1) and M.P.E.P. 707.05(a).

The Examiner's position is that Alexander teaches the identification and calculation of risk factors for various operations including financial operations and also identifies acceptable or unacceptable levels for each risk factor value. Since the partial copy of Alexander provided to the undersigned does not have page numbers (the top edges of most of the pages having been clipped), the undersigned cannot verify that the Examiner's analysis is correct. Assuming it is correct, however, the Examiner does agree that Alexander does not teach the generation of a spread sheet as claimed. Alexander also does not disclose the report as claimed or the method for generating such a report nor the system for generating such a report, nor does Alexander teach the architecture for the

report, which is a critical and important feature of the invention, nor the use of color indicators to highlight unacceptable risk nor, as now called for in independent claims 1, 29 and 56, accumulating risk factors along with their values and color indications, into separate areas which contain all risk factors of a particular tolerance level. All of these features must be supplied by the secondary references, and it is believed they are not.

The Examiner relies on Tran for teaching a spread sheet.

On page 3 of the action, starting near the middle of the page, where Tran is first discussed in detail, the Examiner points out various aspects of Tran concerning searching for stake holder information on the internet and other features which have absolutely nothing to do with the report of the present invention. It is agreed that Tran discloses the generation of a spread sheet, but nowhere in Tran is the architecture of that spread sheet discussed nor disclosed. The Examiner is respectfully requested to indicate where in either Alexander or Tran a spread sheet having lined up risk factors with lined up values for each factor and a color indicating whether the value is acceptable or not, can be found and further, where in Alexander or Tran it is disclosed that risk factors of the same tolerance level should be grouped in a separate area of the report.

At the top of page 4 of the action, the Examiner cites Tran at column 2, lines 51-61 as teaching the displaying of results and spread sheet analysis. The Examiner then cites column 5, lines 46-50 as disclosing reports which include such information as project planning tools. This too is insufficient to reach the combination of features defined in any of claims 1, 29 or 56.

The Examiner agrees that Tran discloses no color coding system (see the middle of page 4 of the action), and then cites May as teaching a color coding methodology. In May, however, risk factors of various types are not lined up next to their values which, in

turn, are each correlated with a color indicating acceptable or unacceptable risk. Further, May also does not group all factors of the same tolerance level together in a separate area of a report.

The person of ordinary skill in this art must bring all these features to the table without the benefit of Alexander, Tran or May, so that it is not seen how any combination of these references would teach the claimed invention under 35 U.S.C. 103.

The Examiner has not made a prima facie case of obviousness, since none of the references separately have all of the features of the present invention nor is it seen how their combination can spontaneously or obviously produce the defined features of claims 1, 29 or 56 in a manner contemplated by 35 U.S.C. 103.

Although May is probably the closest of the three references cited by the Examiner, in that it actually graphically illustrates a report having columns and rows, nothing in May, taken alone or in combination with Tran and Alexander, would teach the skilled artisan that one of these columns or rows should be a list of financial risk factors, with the next being the actual value for the factors and the next containing a color indication for whether the calculated factor is acceptable or not. Further, neither May nor the references to Tran or Alexander disclose that all risk factors which fall within a common tolerance level should be grouped in the same area and separate from other areas of the report which contain risk factors of a different tolerance level. This architecture for the spread sheet of the present invention is simply not present in any of the references and not obvious from any combination of these references.

Accordingly, favorable consideration is respectfully requested.

If any issues remain which may be resolved by telephonic communication, the Examiner is respectfully invited to contact the undersigned at the number below, if such will advance the application to allowance.

Respectfully submitted,


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